GPN-J.332-ARCHB-8.94-1310500-ALA4 Spl-H.C.A.S.C.D.79e

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION NO. 6444 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.)

Court's or Judge's orders

Mr. K.N. Kore for Petitioner.

Mrs. S.S. Bhende, A.G.P. for Respondent Nos. 1, 2 and 5.

Mr. Sureshkumar for Respondent No. 3 and 4.

Ms. L. Munim with Mr. H. Bhalerao i/by M/s. Rajesh Kothari & Co. for Respondent No.6.

CORAM : F.I. REBELLO &
S.P. KUKDAY,JJ.
DATED : FEBRUARY 10, 2005

P.C.

. This is a strange petition where the petitioner apart from invoking article 226 of the Constitution of India has also invoked Article 311, 32 and 34 of the Constitution of India. We are amazed as to how article 311 of the constitution of India could be invoked as the petitioner is not yet in employment. We are still surprised as to how article 32 can be invoked as this is a right in a person to approach the Supreme Court for violation of fundamental rights. All that we can say is

that on this ground itself, the petition ought to have been dismissed.

. Petitioner No. 2 has been declared to be project affected person. Petitioner No.1 is the married daughter of Petitioner No. 2.

. The Petitioner being married daughter, would not fall within the definition of those persons who are entitled for jobs as project affected person. The grievance of the Petitioner is that she has been applying much earlier. The record would show that she was not selected when she was a spinster. We have to consider the relief which can be given by this court when the petitioner has approached this court. Considering the above, this will not be a fit case for this court to exercise its extra ordinary jurisdiction. Hence, petition rejected.

(F.I. REBELLO,J.)

(S.P. KUKDAY,J.)